

Subpart 213.5—Simplified Procedures for Certain Commercial Items

SOURCE: 80 FR 21657, Apr. 20, 2015, unless otherwise noted.

213.500–70 Only one offer.

If only one offer is received in response to a competitive solicitation issued using simplified acquisition procedures authorized under FAR subpart 13.5, follow the procedures at 215.371–2.

[80 FR 21657, Apr. 20, 2015, as amended at 80 FR 36718, June 26, 2015]

213.501 Special documentation requirements.

(a) *Sole source (including brand name) acquisitions.* For noncompetitive follow-on acquisitions of supplies or services previously awarded on a non-competitive basis, include the additional documentation required by PGI 206.303–2(b)(i) and follow the procedures at PGI 206.304(a)(S–70).

Subpart 213.70—Simplified Acquisition Procedures Under the 8(a) Program

213.7001 Procedures.

For acquisitions that are otherwise appropriate to be conducted using procedures set forth in this part, and also eligible for the 8(a) Program, contracting officers may use—

(a)(1) For sole source purchase orders not exceeding the simplified acquisition threshold, the procedures in 219.804–2(2); or

(2) For other types of acquisitions, the procedures in Subpart 219.8, excluding the procedures in 219.804–2(2); or

(b) The procedures for award to the Small Business Administration in FAR Subpart 19.8.

[64 FR 2596, Jan. 15, 1999. Redesignated at 71 FR 3413, Jan. 23, 2006]

213.7002 Purchase orders.

The contracting officer need not obtain a contractor's written acceptance of a purchase order or modification of a purchase order for an acquisition under

the 8(a) Program pursuant to 219.804–2(2).

[71 FR 3413, Jan. 23, 2006]

PART 214—SEALED BIDDING

Sec.

214.201–6 Solicitation provisions.

Subpart 214.2—Solicitation of Bids

214.202 General rules for solicitation of bids.

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214.408 Award.

214.408–1 General.

AUTHORITY: 41 U.S.C. 1303 and 48 CFR chapter 1.

SOURCE: 56 FR 36326, July 31, 1991, unless otherwise noted.

214.201–6 Solicitation provisions.

(2) Use the provisions at 252.215–7007, Notice of Intent to Resolicit, and 252.215–7008, Only One Offer, as prescribed at 215.408(3) and (4), respectively.

[77 FR 39138, June 29, 2012]

Subpart 214.2—Solicitation of Bids

214.202 General rules for solicitation of bids.

214.202–5 Descriptive literature.

(c) *Requirements of invitation for bids.* When brand name or equal purchase descriptions are used, use of the provision at FAR 52.211–6, Brand Name or Equal, satisfies this requirement.

[56 FR 36326, July 31, 1991, as amended at 63 FR 11528, Mar. 9, 1998; 64 FR 55633, Oct. 14, 1999; 69 FR 65090, Nov. 10, 2004]

214.209 Cancellation of invitations before opening.

If an invitation for bids allowed fewer than 30 days for receipt of offers, and

214.404

resulted in only one offer, the contracting officer shall cancel and re-solicit, allowing an additional period of at least 30 days for receipt of offers, as provided in 215.371.

[77 FR 39138, June 29, 2012]

Subpart 214.4—Opening of Bids and Award of Contract

214.404 Rejection of bids.

214.404-1 Cancellation of invitations after opening.

(1) The contracting officer shall make the written determinations required by FAR 14.404-1(c) and (e)(1).

(2) If only one offer is received, follow the procedures at 215.371 in lieu of the procedures at FAR 14.404-1(f).

[77 FR 39138, June 29, 2012]

214.407 Mistakes in bids.

214.407-3 Other mistakes disclosed before award.

(e) Authority for making a determination under FAR 14.407-3(a), (b) and (d) is delegated for the defense agencies, without power of redelegation, as follows:

(i) Defense Advanced Research Projects Agency: General Counsel, DARPA.

(ii) Defense Information Systems Agency: General Counsel, DISA.

(iii) Defense Intelligence Agency: Principal Assistant for Acquisition.

(iv) Defense Logistics Agency:

(A) General Counsel, DLA; and

(B) Associate General Counsel, DLA.

(v) National Geospatial-Intelligence Agency: General Counsel, NGA.

(vi) Defense Threat Reduction Agency: General Counsel, DTRA.

(vii) National Security Agency: Director of Procurement, NSA.

(viii) Missile Defense Agency: General Counsel, MDA.

(ix) Defense Contract Management Agency: General Counsel, DCMA.

[57 FR 42629, Sept. 15, 1992, as amended at 59 FR 27669, May 27, 1994; 61 FR 50452, Sept. 26, 1996. Redesignated and amended at 62 FR 34122, June 24, 1997; 64 FR 51076, Sept. 21, 1999; 68 FR 7439, Feb. 14, 2003; 69 FR 65090, Nov. 10, 2004; 74 FR 42780, Aug. 25, 2009]

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214.408 Award.

214.408-1 General.

(b) For acquisitions that exceed the simplified acquisition threshold, if only one offer is received, follow the procedures at 215.371.

[77 FR 39138, June 29, 2012]

PART 215—CONTRACTING BY NEGOTIATION

Subpart 215.1—Source Selection Processes and Techniques

Sec.

215.101 Best value continuum.

215.101-70 Best value when acquiring tents or other temporary structures.

Subpart 215.2—Solicitation and Receipt of Proposals and Information

215.203-70 Requests for proposals—tiered evaluation of offers.

215.209 Solicitation provisions and contract clauses.

215.270 Peer Reviews.

Subpart 215.3—Source Selection

215.300 Scope of subpart.

215.303 Responsibilities.

215.304 Evaluation factors and significant subfactors.

215.305 Proposal evaluation.

215.306 Exchanges with offerors after receipt of proposals.

215.370 Evaluation factor for employing or subcontracting with members of the Selected Reserve.

215.370-1 Definition.

215.370-2 Evaluation factor.

215.370-3 Solicitation provision and contract clause.

215.371 Only one offer.

215.371-1 Policy.

215.371-2 Promote competition.

215.371-3 Fair and reasonable price.

215.371-4 Exceptions.

215.371-5 Waiver.

215.371-6 Solicitation provision.

Subpart 215.4—Contract Pricing

215.402 Pricing policy.

215.403 Obtaining certified cost or pricing data.

215.403-1 Prohibition on obtaining certified cost or pricing data (10 U.S.C. 2306a and 41 U.S.C. chapter 35).

215.403-3 Requiring data other than certified cost or pricing data.